

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KAREN CASTLE, et al.)
)
Plaintiffs,)
)
v.) Case No. 4:03CV974 RWS
)
WYETH, INC., et al.,)
)
Defendants.)

ORDER

When this case was filed on July 18, 2003, it contained ten plaintiffs. The case was transferred to the United States District Court for the Eastern District of Pennsylvania (E.D.Penn.) for consolidation of pretrial proceedings under the multijurisdiction case In Re. Diet Drugs Product Liability Litigation, MDL 1203. While the case was in the MDL court, Chief District Judge Harvey Bartle III ordered the severance of plaintiffs' claims into separate cases. On May 23, 2005, this case was divided into ten cases and assigned E.D.Penn. case numbers. (The E.D.Penn. case numbers are 2:05CV24349 through 2:05CV24358.) The Clerk of Court of E.D. Penn. collected filing fees for nine of the plaintiffs' case filings (the fee for the tenth plaintiff had already been paid when this case was originated in the this Court).

Beginning on October 2, 2006, the individual cases began to be remanded to this Court because common discovery had been completed in the MDL. All of the cases have now been remanded but instead of being assigned new case numbers in this Court, the plaintiffs' cases were all consolidated back into Case Number 4:03CV974 RWS. The first named plaintiff Karen Castle should be the only named plaintiff in case number 4:03CV974 RWS. The other nine plaintiffs should be severed from this case and assigned their own E.D.Mo. case numbers.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall sever all of the plaintiffs from this case except Karen Castle. The remaining nine plaintiffs shall be assigned their own case numbers which shall be designated as "related" to this case.


RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 5th day of March, 2007.